

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

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DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

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MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS.

CAUSE NO. Co-95-0095

WILBURN GREEN A/K/A WILMON GREEN, ET AL

DEFENDANTS

JUDGMENT

In this case, the claim of the Mississippi Transportation Commission to have condemned certain lands named in the Complaint, to-wit: As described in Exhibit "A" attached hereto, and incorporated herein, being the property of Wilburn Green a/k/a Wilmon Green ET AL was submitted to the Honorable Mills Barbee, Judge of the Special Court of Eminent Domain of DeSoto County, Mississippi and those parties appearing (Wilburn Green appeared in person represented by his attorney Lucius Edwards; Alberta Toney and Logan Westbrook were represented by Lucius Edwards; Dale Wilburn was represented by Rebecca Thompson; and the Mississippi Transportation Commission was represented by Walker Sims) for the hearing on July 13, 1995 consented to the case being heard without a jury, and The Court having heard evidence from the Mississippi Transportation Commission that the just compensation was Twelve Thousand Nine Hundred Fifty (\$12,950.00) Dollars and there being no contradictory testimony presented at the hearing as to value, the Court allowed the Mississippi Transportation Commission to amend its statement of values in conformity with the evidence and entered a verdict fixing said defendants compensation and damages at Twelve Thousand Nine Hundred Fifty (\$12,950.00) Dollars and adjudicated based on the sworn testimony of Wilburn Green and the statements of Wilburn Green's attorney, Lucius Edwards that Wilburn

FILED 24TH DAY OF July, 19 95
Leannette B. Martin
SPECIAL COURT CLERK, DESOTO COUNTY, MISSISSIPPI

Clara Woods
MDOT see Court

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Green a/k/a Wilmon Green, Alberta Toney, and Logan Westbrook were each owners of an undivided one third of the land prior to the condemnation of the land and that the compensation should be divided equally between these three individuals. The Court also found^a that based upon the motion of the named defendant, Dale Wilson disclaiming any interest to said real property that said defendant held no interest in said property. Further, the Court found that all named defendants had been served with process including unknown heirs and unknown parties in interest.

It is further ordered that this trial is in lieu of a trial by jury, and all parties are hereby bound by this judgment the same as if there had been a jury trial.

The Mississippi Transportation Commission having previously acquired immediate title and possession of the condemned property by order of this Court dated April 10, 1995, after which the Mississippi Transportation Commission tendered into the Court the sum of Six Thousand Four Hundred Fifty (\$6,450.00) Dollars is allowed credit for said sum against the judgment rendered in this cause and being advised that said sum has not been withdrawn this order shall serve as authority of the Clerk of the Circuit Court to pay said award from said deposited funds.

Now, upon the payment of the said award, ownership of the said property shall be vested in plaintiff and it may be appropriated to the public use as prayed for in the Complaint. All costs assessed to the Plaintiff.

ORDERED AND ADJUDGED on this the 24th day of July, 1995.

Wm. S. Bube
Judge, Special Court of Eminent Domain

APPROVED AS TO CONTENT AND FORM:

Lucius Edwards
LUCIUS EDWARDS, ATTORNEY FOR WILBURN
GREEN, ALBERTA TONEY, & LOGAN
WESTBROOK

Paul R. Scott
PAUL SCOTT, ATTORNEY FOR DALE WILSON

Walker Sims
WALKER SIMS, ATTORNEY FOR MISSISSIPPI
TRANSPORTATION COMMISSION

STATE OF MISS., DESOTO COUNTY
CERTIFIED A TRUE COPY

SEP 01 2011

DALE K. THOMPSON, CIRCUIT CLERK
BY L. Burns D.C.



IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS.

CIVIL ACTION NO. C0-95-0

WILBURN GREEN, ET AL

DEFENDANTS

EXHIBIT "A"

All of the following excepting and excluding therefrom all oil and gas and other minerals which may be produced through a well bore.

TOWNSHIP 1 SOUTH, RANGE 9 WEST, DESOTO COUNTY, MISSISSIPPI,

Section 14:

Begin at the Northwest corner of Defendants property, said point being 1136.0 feet North of and 3929.8 feet West of the Southeast corner of Section 14, Township 1 South, Range 9 West; from said point of beginning run thence East along the North line of Defendants property, a distance of 143.6 feet to a point on the proposed Eastern right-of-way line of a proposed highway project, being known and designated as State Project No. 94-0009-06-019-10, being a segment of U.S. Highway No. 61, said point is 150 feet Easterly of and measured radially to the centerline of median of the above mentioned proposed highway project at Station 2+68.89; thence South 26° 45' West along said proposed Eastern right-of-way line, a distance of 218.7 feet to a point that is 215 feet Easterly of and measured radially to the centerline of median of the above mentioned proposed highway project at Station 5+00; thence South 35° 56' West along said proposed Eastern right-of-way line, a distance of 62.4 feet to a Western line of Defendants property; thence North 02° 00' West along said Western property line, a distance of 246.0 feet to the point of beginning, containing 0.43 acres, more or less.

All of the above being situated in and a part of the Southeast 1/4 of the Southwest 1/4.